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RESOURCES AGENCY OF CALIFORNIA

Lori Vereker
Director of Utilities
201 North Broadway, Escondido, CA 92025
Phone: 760-839-5432 Fax: 760-839-4597

November 5, 2009

Science Advisory Team, Blue Ribbon Task Force
South Coast Regional Stakeholder Group
Marine Life Protection Act Team, South Coast Study Region
Marine Life Protection Act Initiative
c/o California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

RE: Support for Protection of San Elijo Lagoon under Marine Life Protection Act

Dear Members of the Science Advisory Team:

The City of Escondido, working closely with the San Elijo Lagoon Conservancy, wishes to voice our support for the inclusion of the San Elijo Lagoon in a Marine Protected Area (MPA), as defined in section 2852(c) of the Fish & Game Code. This will serve to protect and conserve marine life and habitat found in this valuable coastal environment. We believe that limiting extractive uses in this area would be of benefit to the public and the environment.

Both the City and the Conservancy support a designation and program design that allows for improvement of the ecosystem of the lagoon and the area near the existing ocean outfall. We support allowable uses of invasive non-native species removal, periodic dredging of the mouth of the lagoon to ensure the free flow of tidal waters, continued public access for passive enjoyment and education regarding the lagoon, and continued implementation of the planned restoration activities of the lagoon.

Furthermore, we support and require the Science Advisory Team Water Quality Guidance that directs the SCRSG to place a ¼ mile buffer zone around an intermediate sized wastewater outfall. This will ensure that the existing permitted outfall use can continue to be operated in compliance with federal and state laws and requirements

The City also supports a designation and program which would specifically allow the continued use of, maintenance, operation, replacement, and potential enlargement of the existing recycled water pipelines, sewer force mains, and ocean outfall facilities currently located within the lagoon. These public facilities are essential for environmentally sound management of our water resources and wastewater processing. These operational and maintenance activities are required by the state and federal laws governing our publicly owned treatment facility. Although direct access to

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these public facilities is seldom required, there is the potential of temporary disruption of the lagoon environment. That disruption could be mitigated. Designation of the San Elijo Lagoon as a "marine life reserve" would prohibit even the incidental taking of a marine species "for any purpose" (per section 2860(b) of the Fish & Game Code), therefore, the City and its 140,000 residents could not support designation of the lagoon as a reserve. If, however, specific language is added to ensure access to existing infrastructure for operation, maintenance, replacement, and upgrading activities, then the City could support a "marine life reserve" designation.

We look forward to working with you on this very important issue. I may be contacted by phone at 760-839-5432 or by email at lvereker@escondido.org should you require more information.

Sincerely,



Lori Vereker
Director of Utilities